IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

Bail Appl..No. 5068 of 2007()

CRLMP.3491/2007 of J.M.F.C.,THIRUVALLA
CR.NO.25/07 OF MALLAPALLY EXCISE RANGE.

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PETITIONER : APPLICANT

P.T.BINU,S/O.PRABHAKARAN,
THANNIKKAL VEEDU, CHUZHANAKKARAYIL,
EZHUMATTOOR VILLAGE, MALLAPPALLY.

BY ADV. SRI.MVS.NAMBOOTHIRY

RESPONDENTS:

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 5068 of 2007

Dated this the 20th day of August, 2007

ORDER

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. He was allegedly found to be in possession of 10 litres of spirit on 27/7/07. He was arrested and continues in custody from that date.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not seriously oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. **In the result:**

(a) This application is allowed. The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall not be released from custody on the strength of this order prior to 25/8/07. The Investigator shall, in the meantime, make every endeavour to complete the

investigation.

(ii) The petitioner shall execute a bond for Rs.75,000/- with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(iii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by Investigating Officer in writing to do so.

(R. BASANT, JUDGE)

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